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SEC

SERVICE DATE – LATE RELEASE APRIL 6, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-838

EAST ST. LOUIS JUNCTION RAILROAD COMPANY—  
ADVERSE ABANDONMENT—IN ST. CLAIR COUNTY, IL

STB Docket No. AB-33 (Sub-No. 199)

UNION PACIFIC RAILROAD COMPANY—  
ADVERSE DISCONTINUANCE—IN ST. CLAIR COUNTY, IL

Decided: April 6, 2006

On August 20, 2003, the Illinois Department of Transportation (IDOT) filed an application under 49 U.S.C. 10903 seeking: (1) the adverse abandonment of the East St. Louis Junction Railroad Company's (ESLJ) rail line in East St. Louis, IL, and (2) the adverse discontinuance of Union Pacific Railroad Company's (UP) service over ESLJ's line. Notice of the application was served and published in the Federal Register on September 9, 2003 (68 FR 53216-17). Consistent with 49 CFR 1152.26, the notice provided that protests or written comments must be filed with the Board no later than October 6, 2003.

The parties have requested, and have obtained, numerous extensions of time to file written comments or protests in this proceeding. The most recent extension ended on April 3, 2006.

By letter filed on April 3, 2006, UP has requested that the due date for written comments or protests in this proceeding be extended until February 1, 2007. UP states that another extension would be appropriate because the parties are still engaged in negotiations, the railroads have submitted a proposal to IDOT which it is still reviewing, and additional time would permit the ongoing multi-party negotiations to continue. UP adds that it remains hopeful that the negotiations will prove successful, in which case UP would not oppose IDOT's application. UP states that IDOT does not object to the requested extension.

In light of the ongoing discussions among the parties, UP's request is reasonable and consistent with the Board's preference for private-sector negotiation and resolution of disputes. Therefore, the request will be granted.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The deadline for submission of protests or written comments responsive to IDOT's abandonment and discontinuance of service application is extended until February 1, 2007.
2. The due date for IDOT's reply to opposition to its application is extended, accordingly, to February 16, 2007.
3. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary